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CRL OP No. 26154 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-09-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

**CRL OP No. 26154 of 2025
and CRL MP No. 17799 of 2025**

1. Periyasamy

2. Palanisamy

3. Vasantha

Petitioner(s)

Vs

1. The state represented by
Inspector of Police
The Inspector of Police,
Valavandhi Nadu Police Station,
Namakkal District.

2. R. Ranjith

Respondent(s)

For Petitioners	:	Mr.M.Jaisingh
For Respondents	:	Mr.R. Vinothraja, Govt. Advocate (Crl. Side), for R1 Mr.W.Camyles Gandhi, for R2



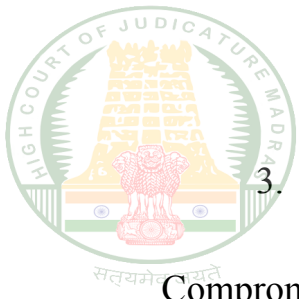
Prayer:

To call for the records of the impugned proceedings pending in C.C.No.54 of 2024 on the file of learned Judicial Magistrate, Sendamangalam and quash the same.

ORDER

This Criminal Original Petition has been filed to quash the C.C.No.54 pending on the file of the Judicial Magistrate, Sendamangalam for the offences under sections 294(b), 323, 341, 324 and 506(2) of IPC.

2.The allegations against the accused/petitioners in the Final Report is that on 12.07.2023, while the second respondent and his parents were returning from their Farm land, they were attacked by the petitioners. Hence, an FIR came to be registered in Crime No.77 of 2023 and after filing of final report, the matter is taken cognizance in C.C.No.54 of 2024 on the file of the Judicial Magistrate, Sendamangalam.



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3. The petitioners along with the second respondent has filed a Joint Compromise Memo wherein it has been stated that they have amicably settled the issues between themselves and hence, seek to quash the proceedings pending in Criminal Court.

4. Mr. A.Steephan Lurdu Raj, Special Sub Inspector of Police, Valavanthinadu Police Station, Namakkal, was present before this Court and he informed this Court that the defacto complainant and the petitioners had approached him and informed that since they have amicably settled the dispute between them, they do not want to proceed further with the criminal proceedings.

5. The petitioners and the defacto Complainant are present before this Court at the time of hearing. This Court enquired the defacto complainant and he stated that he had amicably settled the dispute with the petitioners and he is not willing to proceed with the the criminal proceedings and seeks to quash the same.



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6. The learned Additional Public Prosecutor appearing on behalf of the first respondent submitted that though the parties entered into a compromise while this case is pending, this Court, taking into account the seriousness of the offence has to consider the issue as to whether an offence of this nature can be quashed on the ground of compromise between parties.

7. The main issue that requires the consideration of this Court is as to whether this Court can quash the criminal proceedings involving non-compoundable offences pending against the petitioner. The Hon'ble Supreme Court in the case of *Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath*, reported in *2017 9 SCC 641* and in case of *The State of Madhya Pradesh Vs. Dhruv Gurjar and Another* reported in *(2019) 2 MLJ Crl 10*, has given sufficient guidelines that must be taken into consideration by this Court while exercising its jurisdiction under Section 528 of BNSS Act, to quash non-compoundable offences. One very important test that has been laid down is that the Court must necessarily examine if the crime in question is purely individual



in nature or a crime against the society with overriding public interest. The

Hon'ble Supreme Court has held that offences against the society with overriding public interest even if it gets settled between the parties, cannot be quashed by this Court.

8. In the present case, the offence in question is purely individual/personal in nature. It involves dispute between the petitioners and the defacto complainant and quashing the proceedings, will not affect any overriding public interest in this case and no useful purpose will be served in continuing with the criminal proceedings. In view of the above, this Court is inclined to quash the Final Report filed in the case in C.C.No. 54 of 2024 on the file of the Judicial Magistrate, Sendamangalam in exercise of its jurisdiction under Section 528 of BNSS Act.

9. Accordingly, this Criminal Original Petition is allowed and the case in C.C. No.54 of 2024 on the file of the Judicial Magistrate, Sendamangalam, is quashed. The Joint Compromise Memo filed by the petitioners and the second



respondent for compromising the offences shall form part of the records.

Consequently, connected miscellaneous petition is closed.

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pvs

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To
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The Inspector Of Police
VALAVANDHINADU POLICE
STATION, Namakkal District.



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N.SATHISH KUMAR J.

pvs

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